

PART VII

SUPERVISED RELEASE OF OFFENDERS AT
THEIR MINIMUM RELEASE DATE (MRD)

701. Release of Offenders at Their MRD to Mandatory Supervision. The supervised release (as if on parole) of offenders who are not granted parole prior to their MRD is a highly effective technique to provide an orderly transition to civilian life for released offenders and to better protect the communities into which such offenders are released. Accordingly, it shall be the policy of the NC&PB to use supervised release in all cases except where it is determined by the NC&PB to be inappropriate. An example of where supervised release is inappropriate is in cases where there are 180 days or less remaining between an offender's MRD and the offender's full term date (FTD).

702. Release Plan Review. Military confinement facilities will submit the offender's release plan and all other relevant information on cases approaching MRD to the NC&PB. Military confinement facilities will provide timely and advance notice to all those victims and witnesses indicating a desire to be so notified. Responses by victims and witnesses will be forwarded with the release plan to the NC&PB. The offender's release plan and all other relevant information shall be provided to the NC&PB as part of the offender's last annual review prior to the offender's MRD (approximately 9-15 months prior to MRD). In no event shall the release plan and relevant information be provided to the NC&PB less than 4 months prior to MRD. The offender's written release plan shall include, at a minimum, the same standard provisions required of a parole plan under this instruction (e.g., drug treatment, aftercare, or urinalysis for drug offenders; alcohol treatment for alcohol-related offenses; employment; reporting requirements; etc.). The NC&PB may impose, in its sound discretion, any additional reasonable supervision conditions to the release plan that would, in the judgment of the Board, further an orderly and successful transition to civilian life for released offenders and which would better protect the communities into which the offenders are released.

703. Release Plan Notification. The terms and conditions of supervised release, as determined by the NC&PB and identified in the release plan, will be communicated to the releasee using DD Form 2716-1, Certificate of Parole. The releasee will acknowledge receipt of the provisions of the terms and conditions of supervised release. If the releasee refuses to acknowledge receipt, the notification will be witnessed, certifying that the releasee was advised of the terms and conditions of supervised release.

704. Acceptance of the Release Plan. The departure of the releasee from the confinement facility constitutes acceptance of the terms and conditions of supervised release.

705. Supervision of Supervised Releasees. Supervision will comply, to the extent practicable, with the terms and conditions specified in Section 518 of this Instruction.

706. Conditions of Supervised Release. Conditions will comply, to the extent practicable, with the terms and conditions specified in Sections 519 and 521 of this Instruction.

707. Clemency: Modification, Release or Termination. The NC&PB may, at its discretion or upon the request of the supervising USPO, modify or waive any terms or conditions of supervision or may terminate supervision entirely. (See Sections 520 and 522 of this Instruction.)

708. Violations. A violation of the term of supervised release will be considered equivalent to a violation of the terms and conditions of parole and processed in accordance with the procedures specified in Parts V and VI of this Instruction.

709. Prospective Application. All paragraphs in this Instruction which relate to the supervised release (as if on parole) of offenders at their mandatory release date to mandatory supervision affect only those offenders in which any act with a finding of guilty occurred after 17 August 2001.

710. Federal Bureau of Prisons Offenders. Military offenders who have been transferred to the FBOP and are given early release through good time credits may be placed under mandatory supervision (as if on parole). The U.S. Parole Commission will determine the terms and conditions of any such mandatory supervision. In deciding whether or not to place a military offender on mandatory supervision, the U.S. Parole Commission should consider the criteria set out within this instruction for use by the NC&PB. This paragraph affects only those offenders in which any act of finding of guilty occurred after 17 August 2001.